

# United States District Court

EASTERN DISTRICT OF WISCONSIN

ESSILOR LABORATORIES  
OF AMERICA, INC.,

Plaintiff,

## JUDGMENT IN A CIVIL CASE

V.

Case No. 08-C-296

ST. PAUL FIRE AND MARINE  
INSURANCE COMPANY  
N/K/A/ THE TRAVELERS COMPANIES, INC.,

Defendant.

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- ☐ **Jury Verdict.** This action came before the Court for a trial by jury. The issues have been tried and the jury has rendered its verdict.
- ☒ **Decision by Court.** This action came before the Court for consideration.

**IT IS HEREBY ORDERED AND ADJUDGED** that Essilor's claim for declaratory relief is dismissed pursuant to Rule 12(b)(1) for lack of subject-matter jurisdiction.

**IT IS FURTHER ORDERED AND ADJUDGED** that Essilor's bad faith claim is dismissed under Rule 12(b)(6) for failure to state a claim upon which relief may be granted.

Approved: s/ William C. Griesbach  
WILLIAM C. GRIESBACH  
United States District Judge

Dated: January 20, 2009.

JON W. SANFILIPPO  
Clerk of Court

s/ Mary E. Conard  
(By) Deputy Clerk